

REMARKS

The Examiner's final Office Action of January 12, 2005 has been received and its contents reviewed. Claims 1-83 are pending, of which claims 1-9, 11-18, 21-58 and 65-83 have been withdrawn from consideration. Accordingly, claims 10, 19, 20 and 59-64 are currently being considered, of which claims 10, 59, 60, 61 and 63 have been amended to clarify the claims and correct discovered informalities. In view of the remarks below, Applicants respectfully request reconsideration and allowance of all the pending claims.

Referring now to the detailed Office Action, the Office Action rejects claims 10, 19, 20 and 59-64 under 35 U.S.C. 103(a) as being unpatentable in view of U.S. Publication No. 2002/0007493 to *Butler et al.* The rejection of claims 10, 19, 20 and 59-64 is respectfully overcome because *Butler et al.* fails to disclose, teach or suggest all of the features recited in the amended claims. For example, independent claims independent claims 10, 59, 60 and 61, as amended, recite that recording environment information is generated and recorded in a recording medium by a receiver when the receiver records content data. For example, the receiver records a place of the receiver as the recording environment in such an embodiment.

By contrast, *Butler et al.* is directed to a system that broadcasts a video stream as well as supplemental data files that have instructions for rendering a hyperlink overlay on the video stream as well as other instructions on how files should be handled by the receiving equipment (see Abstract). Additionally, *Butler et al.* discloses that receiving equipment is configured to render video behind the hypertext overlays. However, *Butler et al.* fails to disclose, teach or suggest that recording environment information is generated and recorded in a recording medium by a receiver when the receiver records content data, as recited in amended independent claims 10, 59, 60 and 61. Specifically, in *Butler et al.* the control data for timing parameter is transmitted from the transmitter, but is not generated at the receiver.

Applicants submit that U.S. Patent No. 6,081,837 to *Stedman et al.* fails to cure the noted deficiencies in *Butler et al.* and that independent claims 10, 59, 60 and 61 are allowable over *Butler et al.* and *Stedman et al.*, taken alone or in combination.

With respect to independent claims 19, 20, 62, 63, and 64, and claims dependent therefrom, the rejection of these claims is respectfully traversed based on the response filed July 28, 2004, incorporated by reference herein, and as follows. Specifically, contrary to the assertion in the present Office Action, Applicants submit that *Butler et al.* and *Stedman et al.*, W647058.1

taken alone or in combination, fail to teach, disclose or suggest:

“a transmitter that transmits a transport stream including content data and a first set of conditions or instructions applied when in reproduction or transmits a transport stream including content data and a second set of conditions or instructions that are applied when not in reproduction,” as recited in independent claim 19;

“a transmitter that transmits a transport stream including content data and a program/script which has different control content depending on whether a current mode is a reception mode or a reproduction mode,” as recited in independent claim 20;

at least “said control data including a portion that executes different control content in reception mode and in reproduction mode,” as recited in independent claim 62;

at least “wherein the content that is output is interactively altered in accordance with control input from the operator and based on interactive control data in the converted stream and wherein instructions or data of different processing content are included in receiving mode and reproduction mode in the interactive control data that is transmitted, at the transmission end,” as recited in independent claim 63; and

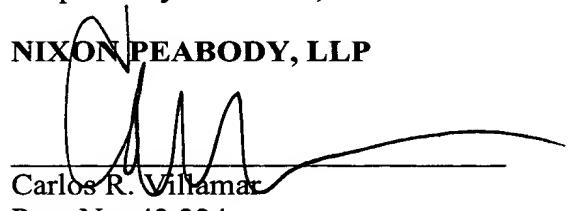
at least “wherein said interactive control data including instructions or data of different processing content in reception mode and reproduction mode, at the receiving end,” as recited in independent claim 64.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome outstanding rejections under 35 U.S.C. § 103, the present amendment places the application in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R. §1.116 be liberally construed, and that the present amendment be entered.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. If, however, the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

Respectfully submitted,

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Date: April 12, 2005

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